

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

AMEL DALLUGE,

Plaintiff,

v.

U.S. DEPARTMENT OF JUSTICE,
ERIC H. HOLDER, and
CORRESPONDENCE MANAGEMENT
STAFF,

Defendants.

CASE NO. C11-5037RBL

ORDER

THIS MATTER comes on before the above-entitled court upon Plaintiff's Notice of Appeal [Dkt. #15] of this Court's Judgment [Dkt. #14] on the Order Adopting Report and Recommendation [Dkt. #11]. Also included in Plaintiff's filings are a Request for a Certificate of Appealability [Dkt. #16] and a Motion for a Preliminary Injunction [Dkt. #18].

Plaintiff was granted leave to proceed *in forma pauperis* in this Court. [Dkt. #5]. This case was thereafter dismissed prior to service for the failure to state a claim and resulted in a strike pursuant to 28 U.S.C. § 1915(g). The Court certifies the appeal is not taken in good faith, and like the underlying case, is frivolous in that it lacks an arguable basis in law or fact. Fed. R. App. P. 24(a)(3)(A).

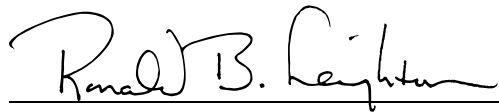
1 As this case was brought pursuant to 42 U.S.C. § 1983, there is no requirement for a
2 certificate of appealability.

3 Plaintiff's Motion for Preliminary Injunction [Dkt. #18] seeks a stay of the Judgment he
4 is appealing. There is no basis for a stay. Plaintiff's motion [Dkt. #18] is **DENIED**.

5 **IT IS SO ORDERED.**

6 The Clerk shall send uncertified copies of this order to all counsel of record, and to any
7 party appearing pro se.

8 Dated this 4th day of May, 2011.

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11 RONALD B. LEIGHTON
12 UNITED STATES DISTRICT JUDGE
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